

CONGRESSMAN SHERWOOD BOEHLERT (R-NY)
FLOOR STATEMENT ON MILLER-BOEHLET AMENDMENT
September 29, 2005

Mr. Chairman:

I rise in strong support of this substitute, and I want to thank all our cosponsors for their support: Mr. Dingell, Mr. Gilchrest, Mr. Dicks, Mr. Saxton, Ms. Tauscher, Mr. Kirk, Ms. Matsui, Mr. Johnson, and Mr. Bass. That's a pretty good sampling of Congressional centrists because this is a moderate, targeted solution. Our substitute truly reforms the Endangered Species Act – without endangering any species, or the American taxpayer. And that's where it differs from H.R. 3824.

But before I describe the differences, I want to emphasize its similarities with H.R. 3824. Both the bill and the Substitute eliminate the current requirements for setting aside critical habitat and rely instead on recovery plans to save endangered and threatened species. Both the bill and the Substitute offer new financial incentives and legal protections to landowners to save species. Both the bill and the Substitute require greater involvement of states in decision-making involving species. Both the bill and the Substitute ensure that the public will have greater information about, and a greater role in that decision-making.

In fact, while it's hard to quantify, I'd guess that 80 to 90 percent of the language in the Substitute is identical to that in H.R. 3824. That's because we developed the Substitute by reading through H.R. 3824 – once we could see a copy – and by importing into our Substitute every word of H.R. 3824 that we possibly could.

What we couldn't accept was language weakening the Act by, for example, making recovery plans unenforceable, or making it too easy for the federal government to take actions that would harm species.

And most of all, what we couldn't accept was the new mandatory spending required by this bill, which would open the federal purse to developers while eliminating basic taxpayer protections. I laid out my specific concerns with that provision during general debate.

So I urge support for this Bipartisan Substitute that will provide real reform and that, unlike H.R. 3824, will protect our precious species and the taxpayer.

I reserve the balance of my time.